



## FOOD AND DRUG BRANCH



### PROCEDURE FOR OBTAINING A WATER VENDING MACHINE OPERATOR LICENSE License Application Form: CDPH 8604

California Health and Safety Code (H&SC) Section 111120 requires operators of water vending machines (WVM) operating in California to obtain a Water Vending Machine Operator License issued by the Department of Public Health's Food and Drug Branch (FDB). The following describes what you must do to obtain the license.

Submit a fully completed Water Vending Machine Operator License Application form with the required fee. To obtain an application form, you may call FDB at (916) 650-6500 or download the form from the FDB website (<http://www.cdph.ca.gov/pubsforms/forms/Pages/FoodandDrug.aspx>; click "Form CDPH 8604").

Please be advised that retailers that have a water vending machine or a window mount water vending machine accessible from outside the store are required to hold a separate license for the water vending machine. Any machine located outside your store or accessible outside the store after hours is NOT included in your retail water facility license.

Important points regarding completion of the application form:

- Include the firm name
- For RENEWAL licenses, include the license number
- Write the phrase "PCA Code 76217" on your check or money order.
- The business address must be that of the water vending machine, not of the corporate headquarters. If submitting an application for multiple WVM's, provide a separate table or list indicating the location(s) of each WVM.
- The mailing address can be that of the WVM, corporate headquarters branch office, etc. Licenses and renewal notices will be sent to the mailing address listed on the application form
- Proper telephone numbers must be provided on the application in order to expedite scheduling of inspection appointments.

Include the following information with the WVM application:

1. A copy of the most recent coliform (bacteria) test results for each machine.
  - a. WVM's must be tested for coliform at least every six months.
  - b. All testing must be done by a California laboratory that has been certified for testing water or by a laboratory certified by the United States Environmental Protection Agency (USEPA). For a list of certified laboratories, please contact the California Environmental Laboratory Accreditation Program (ELAP) at (510) 620-3155 or visit the agency website at <http://www.cdph.ca.gov/certlic/labs/Pages/ELAP.aspx>. Testing done by a laboratory approved by the primary enforcement authority in states which have been granted primacy by the USEPA is also acceptable pursuant to H&SC 111165.
  - c. Take four samples and send all four samples to the testing laboratory. The laboratory will randomly select one of the four samples to test for coliforms.
  - d. The laboratory may use the presence/absence (P&A) test for the coliform analysis. Only negative (absence) test data are acceptable. If a sample tests positive (presence), you must re-sample the water within 24 hours and test using the multiple tube-fermentation method. If the test data show that the water

- contains more than 2.2 MPN/100ml, you must immediately stop vending the water; notify the FDB Water Licensing Desk; investigate the cause of the problem; take corrective actions and resample/test the water. You must not resume the vending of water until the test shows that the water contains total coliforms of less than 2.2 MPM/100 ml.
2. If your WVM dispenses purified water, you must submit a copy of the most recent test for total dissolved solids (TDS).
    - a. The testing must be performed by a certified laboratory.
    - b. TDS testing must be conducted each time the WVM is serviced (H&SC Section 111145).
  3. A copy of an evaluation certificate, from an independent authority approved by FDB, for each machine. Currently, FDB accepts certificates from the National Automatic Merchandising Association (NAMA). The telephone number for NAMA is (312) 346-0370.
    - a. You must not modify or change the original water treatment process, and/or the design and construction of the WVM. If modification and/or changes become necessary, you must contact NAMA and have the WVM re-evaluated by NAMA. You must submit a copy of the re-evaluation certificate from NAMA to the FDB Water Desk prior to beginning operation of the modified or changed WVM.
  4. A list of machine locations and information regarding the source water for each machine. A sample format is attached at the end of this procedure.
  5. Color photographs showing that each machine displays the following information in **both English and Spanish**, pursuant to H&SC Section 111170 (c) and (d):
    - a. The firm name and address
    - b. The fact that the WVM obtains water from an approved public drinking water supply or licensed private water source
    - c. A statement describing the treatment process used by the WVM
    - d. If no treatment process is used, as statement to that effect
    - e. A toll-free telephone number or a local telephone number within the area code in which the WVM is located that can be called for further information, service, or complaints.
    - f. The California Department of Public Health – Food and Drug Branch's toll-free telephone number (1-800-495-3232) that can be called to file a complaint or ask questions about the WVM.
    - g. A sign or label indicating the date on which the WVM was last sanitized and serviced by your firm or by a maintenance firm under contract. **(This requirement will become effective on January 1, 2009.)**
    - h. A notice to your customers showing your firm's recommendation for the type and condition of container suitable for use with the WVM.
    - i. A valid decal or seal received from FDB indicating that a license fee has been paid and a license issued for the WVM. The decal/seal will be issued when the license is issued or renewed.

**Beginning January 1, 2009, you will be required to clean, service and sanitize each WVM in accordance with the WVM manufacturer's specifications, or at least once every 31 days (H&SC Section 11115 (b) (1)).**

Any incomplete and/or illegible applications will be RETURNED to the applicant. **License fees are non-refundable. Water Vending Machine Operator Licenses are non-transferrable to new owners.** A change of the WVM ownership will require submittal of a NEW application.

The WVM License is valid for one calendar year. It is your responsibility to renew the license prior to the expiration date printed on the license. You will receive a renewal notice from FDB approximately two months before the expiration date of your license. Follow the instructions on the renewal notice and submit the completed application form, a check or money order for the license fee payment and a copy of the most recent coliform (bacteria) test results. If selling purified water, include the most recent TDS test results. If you do not receive a renewal notice, please contact the FDB Water Desk at (916) 650-6500.

Record Retention: CFR Part 129.80 (h) requires all information/test data to be maintained for at least 2 years. Refer to Part 129.80 (h) regarding the types of information to be kept. Copies of records, including test results, must be provided to FDB during inspections and at any other time if requested.

FDB may conduct a pre-licensing inspection prior to issuing the WVM machine license. FDB will also conduct periodic inspections of the WVM to ensure that the WVM is operating in compliance with applicable state and federal laws and regulations.

Sample Format for WVM's

WVM Street Address, City, and ZipCode	WVM Manufacturer, Model # and Serial #	NAMA Certificate #	Name, Address, Phone # of Public Drinking Water District or Private Water Source